

**CITY OF BAY CITY, MICHIGAN**  
**OFFICE OF CITY CLERK**

(AFFIDAVIT)

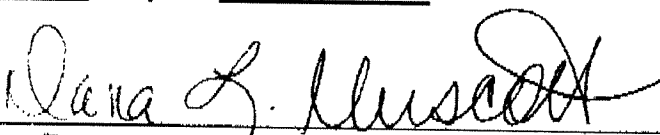
**STATE OF MICHIGAN )**

**COUNTY OF BAY )**

**CITY OF BAY CITY )**

I, Dana L. Muscott, City Clerk of the City of Bay City, County and State aforesaid, Do hereby Certify that I have compared the annexed excerpt from the regular meeting of the Bay City City Commission held on May 1, 2006, with the original on file in my office, and that it is a true and correct copy therefrom and of the whole of such original.

In Witness Whereof, I have hereunto set my hand and affixed the Corporate Seal of the City of Bay City, Michigan, this 4<sup>th</sup> day of May, 2006.

  
 Dana L. Muscott, City Clerk

**Of Commission as a Whole:**

**Whereas**, the Legislature has provided in PA 14 of 2003 for the removal of vegetation and other beach maintenance activities of the beach was a beach prior to 1997, is not a designated environmentally sensitive area, and does not violate the endangered species act of 1973; and

**Whereas**, we have supported in the past, and continue to support, a Great lakes riparian owner's right to maintain their shoreline property; and

**Whereas**, the beaches in this county have been adversely affected by pollution, sewage spills and invasive species; and

**Whereas**, Lake Huron is in a period of extremely low water that exposed expansive beach front to new invasive vegetation growth and swales; and

**Whereas**, this expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and

**Whereas**, the Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline; and

**Whereas**, shoreline residents have maintained their beaches without any state or federal funding; and

**Whereas**, the risk of West Nile Virus and other mosquito-borne illness is higher in mosquito infested swales, and both residents and visitors have experienced, or have been exposed to the possibility of, bacterial infection from wading in shoreline swales; and

**Whereas**, many complaints have been received by visitors to our area that they are disappointed in the quality of our beaches prior to PA 14 of 2003; and

**Whereas**, removing the sunset provision of PA 14 of 2003, will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors; and

**Now Therefore Be It Resolved** that the Bay City City Commission supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

Commissioner Gorney moved to allow public input. There was no objection. No one came forward.

Commissioner Brunner moved adoption of resolution.

Adopted by the following vote:

Yes, Commissioners Shannon, Wooley, Legner, Flannery, Gorney, Davidson, Kurzer, Newsham, Brunner, 9.

No, None.

## RESOLUTION #06-024

### RESOLUTION OF THE BOARD OF THE CHARTER TOWNSHIP OF BANGOR TO SUPPORT REMOVAL OF THE SUNSET PROVISIONS FROM PUBLIC ACT 14 (PA 14)

Minutes of a special meeting of the Township Board of the Charter Township of Bangor, County of Bay, State of Michigan, held in the Administration Building of the Charter Township of Bangor on Wednesday, May 3, 2006 at 4:00 p.m.

PRESENT: Bishop, Leitermann, Santos, Watson  
ABSENT: Eagle, Howard, Stasik

#### The Following Resolution Was Offered By:

Member Treasurer Leitermann and seconded by Member Trustee Bishop

\*\*\*\*\*

**WHEREAS**, the Legislature has provided in 2003 PA 14 for the removal of vegetation and other beach maintenance activities if the beach was a beach prior to 1997, is not in a designated environmentally sensitive area, and does not violate the endangered species act of 1973; and,

**WHEREAS**, we have supported in the past, and continue to support, a Great Lakes riparian owner's right to maintain their shoreline property; and,

**WHEREAS**, the beaches in this county have been adversely affected by pollution, sewage spills and invasive species; and,

**WHEREAS**, Lake Huron is in a period of extremely low water that exposed expansive beach front to new invasive vegetation grown and swales; and,

**WHEREAS**, this expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and,

**WHEREAS**, the Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline; and,

**WHEREAS**, shoreline residents have maintained their beaches without any state or federal funding; and,

**WHEREAS**, the risk of West Nile Virus and other mosquito-borne illness is higher in mosquito infested swales, and both residents and visitors have experienced, or have been exposed to the possibility of, bacterial infection from wading in shoreline swales; and,

**WHEREAS**, many complaints have been received by visitors to our area that they are disappointed in the quality of our beaches prior to 2003 PA 14; and,

**WHEREAS**, removing the sunset provision of 2003 PA 14 will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors and,

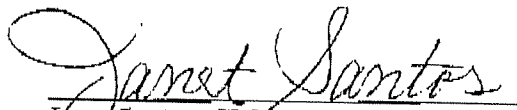
**NOW THEREFORE BE IT RESOLVED** that Bangor Charter Township supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

### ROLL CALL VOTE

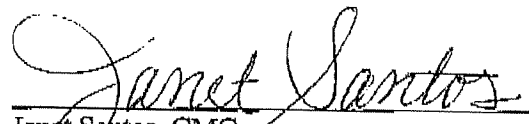
AYES: Leitermann, Santos, Bishop, Watson  
NAYS: None  
ABSENT: Eagle, Howard, Stasik

### RESOLUTION DECLARED ADOPTED



  
Janet Santos, CMC  
Bangor Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Charter Township of Bangor at a special meeting held on Wednesday, May 3, 2006 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

  
Janet Santos, CMC  
Bangor Township Clerk

RESOLUTION TO SUPPORT REMOVAL OF THE SUNSET PROVISION FROM  
2003 PA 14.

WHEREAS, the Legislature has provided in 2003 PA 14 for the removal of vegetation and other beach maintenance activities if the beach was a beach prior to 1997, is not in a designated environmentally sensitive area, and does not violate the endangered species act of 1973; and

WHEREAS, we have supported in the past and continue to support a Great Lakes riparian owner's right to maintain their shoreline property, and

WHEREAS, the beaches in this county have been adversely effected by pollution, sewage pills and invasive species; and

WHEREAS Lake Michigan is in a period of extremely low water that exposed expansive beach front to new invasive growth and swales; and

WHEREAS, this expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and

WHEREAS, the Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline, and

WHEREAS, many complaints have been filed with the DEQ by our residents and visitors that are disappointed in the quality of the beaches prior to 2003 PA 14; and

WHEREAS, removing the sunset provision of 2003 PA 14 will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors, and

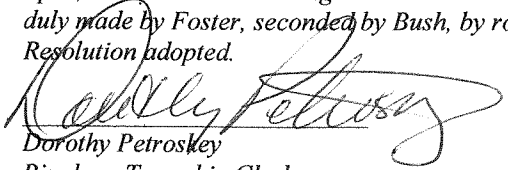
NOW THEREFORE, BE IT RESOLVED that Bingham Township supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

The foregoing was offered by Foster and was seconded by Bush

Upon a Roll Call Vote the following voted in favor of the Resolution:

The Supervisor declared the Resolution adopted.

*I, Dorothy Petroskey, the duly elected and acting Clerk of Bingham Township, Leelanau County, Michigan do here by certify that a meeting of the Bingham Township Board duly called and held on the 24TH day of April, 2006 at which meeting 5 board members were present, the above said resolution was, upon motion duly made by Foster, seconded by Bush, by roll call vote: Ayes: 5 Nays: 0  
Resolution adopted.*

  
Dorothy Petroskey  
Bingham Township Clerk  
7171 S Center Hwy.  
Traverse City, MI 49684

RESOLUTION TO SUPPORT REMOVAL OF THE SUNSET PROVISIONS FROM  
2003 PA 14.

WHEREAS, the Legislature has provided in 2003 PA 14 for the removal of vegetation and other beach maintenance activities if the beach was a beach prior to 1997, is not in a designated environmentally sensitive area, and does not violate the endangered species act of 1973; and

WHEREAS, we have supported in the past, and continue to support, a Great Lakes riparian owner's right to maintain their shoreline property; and

WHEREAS, the beaches in this county have been adversely affected by pollution, sewage spills and invasive species; and

WHEREAS, Lake Huron is in a period of extremely low water that exposed expansive beach front to new invasive vegetation growth and swales; and

WHEREAS, this expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and

WHEREAS, the Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline; and

WHEREAS, shoreline residents have maintained their beaches without any state or federal funding; and

WHEREAS, the risk of West Nile Virus and other mosquito-borne illness is higher in mosquito infested swales, and both residents and visitors have experienced, or have been exposed to the possibility of, bacterial infection from wading in shoreline swales; and

WHEREAS, many complaints have been received by visitors to our area that they are disappointed in the quality of our beaches prior to 2003 PA 14; and

WHEREAS, removing the sunset provision of 2003 PA 14 will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors, and

Now, Therefore, Be It Resolved that VILLAGE OF PORT AUSTIN supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

BAY COUNTY BOARD OF COMMISSIONERS  
4/11/06

## RESOLUTION

- BY: COMMISSIONER ERNIE KRYGIER
- WHEREAS, The Legislature has provided in 2003 PA 14 - the removal of vegetation and beach maintenance activity if the beach was a beach prior to 1997 and in areas other than environmentally sensitive areas and did not violate the endangered species act of 1973; and
- WHEREAS, We have supported in the past, and continue to support, a Great Lakes riparian owner's right to maintain their shoreline property; and
- WHEREAS, The beaches in the county have been adversely affected by pollution, sewage spills and invasive species; and
- WHEREAS, Lake Huron is in a period of extremely low water that exposed expansive beach front to new invasive vegetation growth and swales; and
- WHEREAS, This expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and
- WHEREAS, The Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline; and
- WHEREAS, Shoreline residents have maintained their beaches without any state or federal funding; and
- WHEREAS, The risk of West Nile Virus is higher in mosquito infested swales and residents and visitors have experienced bacterial infection from wading in shoreline swales; and
- WHEREAS, Many complaints have been received by visitors to our area that they are disappointed in the quality of our beaches prior to 2003 PA 14; and
- WHEREAS, Removing the sunset provision of 2003 PA 14 will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors; Therefore Be It
- RESOLVED That the Bay County Board of Commissioners supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

ERNIE KRYGIER

5<sup>TH</sup> DISTRICT

COUNTY COMMISSIONER

Removal of Sunset Provision - 2003 PA 14

MOVED BY COMM. KrygierSUPPORTED BY COMM. Tacey

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Richard L. Byrne	✓			Dawn A. Kilda			✓	Brian K. Eider	✓		
Patrick H. Beson	✓			Ernie Krygier	✓			Eugene F. Gwizdala	✓		
Vaughn J. Begick	✓			Kim Coonan	✓			William G. Tacey	✓		

## VOTE TOTALS:

 ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: ✓ YEAS 8 NAYS 0 EXCUSED 1

 DISPOSITION: ADOPTED ✓ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

RESOLUTION TO SUPPORT REMOVAL OF THE SUNSET PROVISIONS FROM  
2003 PA 14.

WHEREAS, the Legislature has provided in 2003 PA 14 for the removal of vegetation and other beach maintenance activities if the beach was a beach prior to 1997, is not in a designated environmentally sensitive area, and does not violate the endangered species act of 1973; and

WHEREAS, we have supported in the past, and continue to support, a Great Lakes riparian owner's right to maintain their shoreline property; and

WHEREAS, the beaches in this county have been adversely affected by pollution, sewage spills and invasive species; and

WHEREAS, Lake Huron is in a period of extremely low water that exposed expansive beach front to new invasive vegetation growth and swales; and

WHEREAS, this expansive growth of invasive species is detrimental to the use and enjoyment of the shoreline property by the owner, residents and the general public; and

WHEREAS, the Michigan Supreme Court permits walking along the shoreline, removal of the invasive vegetation and swales is necessary to permit walking the shoreline; and

WHEREAS, shoreline residents have maintained their beaches without any state or federal funding; and

WHEREAS, the risk of West Nile Virus and other mosquito-borne illness is higher in mosquito infested swales, and both residents and visitors have experienced, or have been exposed to the possibility of, bacterial infection from wading in shoreline swales; and

WHEREAS, many complaints have been received by visitors to our area that they are disappointed in the quality of our beaches prior to 2003 PA 14; and

WHEREAS, removing the sunset provision of 2003 PA 14 will continue to permit a common sense approach to beach maintenance, improved tourism and health for our residents and visitors. and

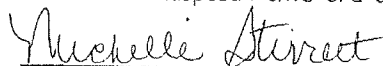
Now, Therefore, Be It Resolved that Caseville Township supports local residents and commercial shoreline property owners being able to preserve, maintain and restore their beaches.

Resolution by Robert Drury second by Wayne Raymond.

Ayes: 5

Nays: 0

Resolution adopted this 3rd day of April, 2006



Michelle Stirett, Caseville Township Clerk



## **CASEVILLE CHAMBER OF COMMERCE**

P.O. Box 122 • Caseville, Michigan 48725

(989) 856-3818 • Fax: (989) 856-2596 • Toll Free: 1-800-606-1347 • [www.casevillechamber.com](http://www.casevillechamber.com)

Come For A Season or Come For a Day

### **SUMMER AND WINTER WONDERLAND**

*Swimming • Boating • Golfing • Fishing • Hunting • Snowmobiling*

### **Statement Presented – Joint Hearing on May 9, 2006**

#### **Before:**

**Senate, Natural Resources & Environmental Affairs Committee  
House, Natural Resources, Great Lakes, Land Use, and Environment Committee**

On behalf of the Caseville Chamber of Commerce, and as the President of the Caseville Chamber of Commerce the following statement is presented:

As long as I can remember, Michigan has been the "Water Wonderland". This name has many different meanings...as many as the memories of all the people who have had the privilege of playing and growing up near the waterways and lakes of Michigan.

To children it means sun, sand and wonderful, oh so wonderful water.

To teenagers it means a backdrop for friendships and first romances.

To young adults it means swimming, fishing and boating.

To mature adults it means beautiful sunsets, well-earned relaxation and joyfully starting the cycle over again with grandchildren.

And everyone, no matter their age, enjoys sitting or walking on the beach.

As we experience these pleasures, responsibilities and challenges, they become part of the very fabric of our life and we are forever different, forever better.

These **are** the reasons why residents live here and tourists vacation here.

The outcome of all of this is a thriving tourist economy. When people vacation, short or long term, they buy groceries or they eat at restaurants, they buy gas for cars and boats, they buy clothes and camping gear, they go to the movies, they play putt putt, they buy boating gear, skiing equipment, sun tan lotion and on and on. This is the flow of tourism dollars and the flow dominoes throughout our local, state and federal economy. In 2004, travelers spent \$17.5 billion in Michigan, our second greatest economic sector, that also supported tourist-related jobs and contributed to state taxes.

When the beaches are covered with weeds as tall as young children, the experience is not a pleasant one. You have to wade through these weeds to swim. You have to wade through these weeds to get to an anchored boat. You have to wade through these weeds to get to the water. Families stop coming and the laughter of children is heard no more. Last year, tourism fell 2 per cent. Communities along the water suffered from this situation. Jobs were lost because of this situation. State taxes were lost because of this situation.

Why should or would a government, any government, local, state or federal create and sustain a negative impact on the second most important industry in our state? Surely, this is not good decision making. What are our priorities? SOS clearly sees the impact of regulations that restrict maintenance of beaches in our state. They strive to assist and support residents and businesses in their endeavors to return to a more sensible time, a time when clean beaches beckoned to one and all.

Look more closely at what we strive for and hope to achieve. Make the decisions that will enable residents and businesses to maintain their beaches as they have for generations. And travel will increase and the tourism industry will once again become a robust part of Michigan's economy and we will once again be the "Water Wonderland".

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steve Louwers', with a long, sweeping horizontal line extending to the right.

Steve Louwers,  
Caseville Chamber of Commerce  
President